

By A. Moreno
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4 B. No. 761

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a state election commission.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 31.001, Election Code, is amended to read as follows:

Sec. 31.001. STATE ELECTION COMMISSION. (a) The State Election Commission is composed of six commissioners appointed by the governor with the advice and consent of the senate. The state chairman of each of the two political parties whose nominees for governor received the highest number of votes in the most recent gubernatorial general election shall submit to the governor a list of three nominees for each vacancy for commissioner. The governor shall appoint to the commission three of the nominees from each party and shall maintain that representation on the commission for subsequent appointments.

(b) Commissioners serve for staggered terms of six years with two members' terms expiring February 1 of each odd-numbered year. A vacancy on the commission is filled for the remainder of the unexpired term in the same manner as the original appointment.

(c) The commission shall employ an executive director as the executive head of the commission. The executive director shall employ persons necessary for the commission to perform its duties and functions.

(d) To be eligible for employment by the commission, a

1 person must not have:

2 (1) held or been a candidate for an office regularly
3 filled at the general election for state and county offices; or

4 (2) held an office or position of a political party
5 other than precinct chairman.

6 (e) The commission shall perform all the duties and
7 functions relating to election and voter registration matters and
8 the regulation of political funds that are conferred by law on the
9 secretary of state. All references in this code and other law to
10 the secretary of state regarding these matters mean the state
11 election commission. References to the secretary of state
12 regarding these matters in the statutes of this state shall be
13 changed to the state election commission when those statutes are
14 being amended for any purpose.

15 (f) The custody and control of all records and documents and
16 any computer systems and other property used to maintain the
17 records and documents, and all unexpended appropriations and the
18 management of all funds, relating to election and voter
19 registration matters and the regulation of political funds are
20 transferred from the secretary of state to the state election
21 commission.

22 (g) The state election commission is subject to the Texas
23 Sunset Act (Chapter 325, Government Code). Unless continued in
24 existence as provided by that Act, the commission is abolished
25 September 1, 2001. [CHIEF-ELECTION-OFFICER--(a)--The-secretary-of
26 state-is-the-chief-election-officer-of-the-state-

27 [(b)--The--secretary--shall--establish--in--his---office---an

1 elections--division-with-an-adequate-staff-to-enable-him-to-perform
2 his-duties-as-chief-election-officer--The-secretary-may-assign--to
3 the---elections---division--staff--any--function--relating--to--the
4 administration-of-elections-that-is-under-his-jurisdiction.]

5 SECTION 2. The State Election Commission is created. The
6 governor shall appoint two of the initial commissioners to serve
7 terms expiring February 1, 1991, two to serve terms expiring
8 February 1, 1993, and two to serve terms expiring February 1, 1995.

9 SECTION 3. This Act takes effect September 1, 1989, except
10 that Sections 31.001(e) and (f), Election Code, as added by this
11 Act, take effect November 1, 1989.

12 SECTION 4. The importance of this legislation and the
13 crowded condition of the calendars in both houses create an
14 emergency and an imperative public necessity that the
15 constitutional rule requiring bills to be read on three several
16 days in each house be suspended, and this rule is hereby suspended.

H. B. No. 761

A BILL TO BE ENTITLED
AN ACT

B. A. Moreno
James J. Martinez
R. C. Culla

relating to the creation of a state election commission.

JAN 31 1989

1. Filed with the Chief Clerk.

FEB 20 1989

2. Read first time and Referred to Committee on

Elections

3. Reported favorably (as amended)
(as substituted) and sent to Printer at _____

4. Printed and distributed at _____

5. Sent to Committee on Calendars at _____

6. Read second time (amended); passed to third reading (failed) by (Non-Record Vote)
(Record Vote of _____ yeas, _____ nays, _____
present, not voting).

7. Motion to reconsider and table the vote by which H.B. _____ was ordered
engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas,
_____ nays, and _____ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed
to suspend) by a four-fifths vote of _____ yeas, _____ nays, and _____
present, not voting.

9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote
of _____ yeas, _____ nays, _____ present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. _____ was finally passed
prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____
nays, and _____ present, not voting).

12. Ordered Engrossed at _____

13. Engrossed.

14. Returned to Chief Clerk at _____

15. Sent to Senate.

Chief Clerk of the House

16. Received from the House

17. Read, referred to Committee on _____

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read
first time.

20. Ordered not printed.

21. Regular order of business suspended by
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules
suspended by vote of _____ yeas, _____ nays.

_____ 23. Read second time _____ passed to third reading by:
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 24. Caption ordered amended to conform to body of bill.

_____ 25. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 26. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION:

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Secretary of the Senate

_____ 27. Returned to the House.

_____ 28. Received from the Senate (with amendments.)
(as substituted.)

_____ 29. House (Concurred) (Refused to Concur) in Senate (Amendments)
(Substitute) by a (Non-Record
Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
not voting).

_____ 30. Conference Committee Ordered.

_____ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 32. Ordered Enrolled at _____

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